

LOCAL BANKRUPTCY FORM 1014-3
UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 7
RYAN MALONE and :
JENNIFER MALONE :
: :
: :
Debtors : Bankruptcy No. 05-18492 (KJC)

NOTICE OF MOTION, RESPONSE DEADLINE AND HEARING DATE

The United States Trustee has filed a **Motion to Dismiss Case Pursuant to 11 U.S.C. § 707 (a) or in the Alternative to Extend Deadlines Pursuant to FRBP 1017(e)(1)** with the Court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

1. If you do not want the court to grant the relief sought in the motion or if you want the court to consider your views on the motion, then on or before **Wednesday, October 19, 2005**, you or your attorney must do all of the following:

- (a) file an answer explaining your position at:
U.S. Bankruptcy Court, Eastern District of Pennsylvania
900 Market Street, Suite 400
Philadelphia, PA 19107-4299

If you mail your answer to the Bankruptcy Clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and

- (b) mail a copy to the movant's attorney:

Kevin P. Callahan, Trial Attorney
Office of the U.S. Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107
Telephone: (215) 597-4411/Fax: (215) 597-5795

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the court may enter an order granting the relief requested in the motion.

3. A hearing on the motion is scheduled to be held before the Honorable Kevin J. Carey on **Wednesday, October 26, 2005, at 10:00 a.m. in Courtroom #1**, United States Bankruptcy Court, 900 Market Street, Suite 400, Philadelphia, PA 19107. Unless the court orders otherwise, the hearing on this contested matter will be an evidentiary hearing at which witnesses may testify with respect to disputed material factual issues in the manner directed by Fed. R. BANK. P. 9014(d).

4. If a copy of the motion is not enclosed, a copy of the motion will be provided to you if you are on the Clerk's Service List and you request a copy from the attorney named in paragraph 1(b).

5. You may contact the Bankruptcy Clerk's office at (215) 408-2800 to find out whether the hearing has been canceled because no one filed an answer.

Date: September 14, 2005